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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/078,618	02/19/2002	J. Barry Shackleford	100110018-1	5631

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EXAMINER

MANIWANG, JOSEPH R

ART UNIT	PAPER NUMBER
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2144

DATE MAILED: 04/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/078,618

Applicant(s)

SHACKLEFORD, J. BARRY

Examiner

Joseph R. Maniwang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☒ Claim(s) 1-26 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

#### ***Continued Examination Under 37 CFR 1.114***

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 02/01/06 has been entered.

#### ***Claim Objections***

3. Claims 1-9 are objected to because of the following informalities: claim 1 recites "a method for an electronic system user to programming", which is grammatically incorrect. Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 102***

4. Claims 1-3, 5-8, 10-14, 16-20, 25, and 26 are rejected under 35 U.S.C. 102(e) as being anticipated by Fleming, III (U.S. Pat. No. 6,597,772), hereinafter referred to as Fleming.

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5. Regarding claims 1 and 25, Fleming disclosed a method and system comprising generating an electronic mail message in response to data entered by a user, the electronic mail message including user-selected preference data for the electronic system (see column 4, lines 55-67; column 5, line 65 through column 6, line 12); transmitting the electronic mail message to an electronic mail destination (see column 4, lines 55-67; column 5, line 65 through column 6, line 12); automatically extracting the user-selected preference data from the electronic mail message (see column 6, lines 13-53); transmitting the user-selected preference data to the electronic system (see column 6, lines 13-30); and configuring the electronic system with the user-selected preference data to modify operation of the electronic system (see column 5, lines 1-9; column 6, lines 25-30).
6. Regarding claim 2, Fleming disclosed the method and system further comprising transmitting the user-selected preference data to the electronic system in response to a request, initiated by the electronic system, to transmit preference data (see column 5, lines 20-41).
7. Regarding claim 3, Fleming disclosed the method and system wherein the user-selected preference data includes telephone directory information, and the electronic system is a mobile communication device (see column 4, lines 33-67).
8. Regarding claims 5 and 20, Fleming disclosed the method and system further comprising storing the user-selected preference data in the electronic system as at least one telephone directory entry (see column 4, lines 33-67).

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9. Regarding claim 6, Fleming disclosed the method and system further comprising modifying operating parameters of the electronic system in response to the user-selected preference data (see column 4, lines 33-67).

10. Regarding claim 7, Fleming disclosed the method and system wherein transmitting the user-selected preference data to the electronic system is performed via a radio signal (see column 3, lines 1-12).

11. Regarding claims 8 and 16, Fleming disclosed the method and system wherein the electronic system includes a programmable recorder, and the user-selected preference data includes recording instructions (see column 4, lines 20-67).

12. Regarding claims 10 and 26, Fleming disclosed a method and system comprising transmitting user-preference data associated with the electronic system from a first computer arrangement to a second computing arrangement in response to user entry of the user-preference data at the first computer arrangement (see column 4, line 55 through column 5, line 9); storing the user-preference data in a database hosted by the second computing arrangement in association with an identifier of the electronic system (see column 4, lines 55-67); retrieving from the database user reference data associated with the identifier of electronic system in response to a request for the user-preference data by the electronic system (see column 5, lines 1-9); transmitting the user-preference data retrieved from the database to the electronic system (see column 5, lines 1-9); and configuring the electronic system with the user-preference data to modify operation of the electronic system (see column 5, lines 1-9; column 6, lines 25-30).

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13. Regarding claims 11 and 17, Fleming disclosed the method and system wherein the user-preference data is transmitted from the first computing arrangement to the second computing arrangement in an electronic mail message (see column 4, lines 55-67; column 6, lines 2-12).

14. Regarding claim 12, Fleming disclosed the method and system wherein the user-preference data is transmitted from the first computing arrangement to the second computing arrangement via a hyper-text transport protocol (see column 6, lines 2-12).

15. Regarding claim 13, Fleming disclosed the method and system further comprising transmitting the user-preference data to the electronic system via a wireless interface (see column 3, lines 1-12).

16. Regarding claim 14, Fleming disclosed the method and system wherein the electronic system is a portable communication device (see column 3, lines 1-12).

17. Regarding claim 18, Fleming disclosed a method and system comprising an electronic device configurable with user-preference data and coupled to a non-QWERTY user-input device for input of user-preference data (see column 3, lines 13-21); a first computing arrangement adapted to assemble and transmit user-preference data (see column 3, line 48 through column 4, line 19); a second computing arrangement coupled to the first computing arrangement and to the electronic device, the second computing arrangement adapted to receive and store user-preference data transmitted from the first computing device and transmit the user-preference data to the electronic device to modify operation of the electronic system (see column 4, lines 1-19).

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18. Regarding claim 19, Fleming disclosed the method and system wherein the electronic device is a wireless communication device, and the first computing arrangement is further adapted to communicate the selected user-preference data to the second computing arrangement in an electronic mail message (see column 3 ,lines 1-12; column 4, lines 55-67; column 6, lines 1-12).

19. Claims 1, 2, 4, 6-13, 15-19, and 21-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Hirata (U.S. Pat. No. 6,925,567).

20. Regarding claims 1 and 25, Hirata disclosed a method and system comprising generating an electronic mail message in response to data entered by a user, the electronic mail message including user-selected preference data for the electronic system (see column 7, lines 61-65; column 8, lines 46-56; column 9, lines 43-50); transmitting the electronic mail message to an electronic mail destination (see column 8, line 66 through column 9, line 2; column 9, lines 51-64); automatically extracting the user-selected preference data from the electronic mail message (see column 10, lines 34-43); transmitting the user-selected preference data to the electronic system (see column 10, line 60 through column 11, line 8); and configuring the electronic system with the user-selected preference data to modify operation of the electronic system (see column 10, line 60 through column 11, line 8).

21. Regarding claim 2, Hirata disclosed further comprising transmitting the user-selected preference data to the electronic system in response to a request, initiated by the electronic system, to transmit preference data (see column 10, lines 1-33).

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22. Regarding claims 4, 22, and 24, Hirata disclosed wherein the user-selected preference data includes programming instructions, and the electronic system is a television signal recorder (see column 7, lines 15-23; column 8, lines 46-56).

23. Regarding claim 6, Hirata disclosed further comprising modifying operating parameters of the electronic system in response to the user-selected preference data (see column 10, line 60 through column 11, line 8).

24. Regarding claim 7, Hirata disclosed wherein transmitting the user-selected preference data to the electronic system is performed via a radio signal (see column 6, line 48 through column 7, line 43).

25. Regarding claims 8 and 16, Hirata disclosed wherein the electronic system includes a programmable recorder, and the user-selected preference data includes recording instructions (see column 7, lines 15-23).

26. Regarding claim 9, Hirata disclosed wherein the electronic system includes a programmable television recorder, and the user-selected preference data includes keywords associated with operating instructions (see column 7, lines 15-23; column 8, lines 46-56).

27. Regarding claims 10 and 26, Hirata disclosed comprising transmitting user-preference data associated with the electronic system from a first computer arrangement to a second computing arrangement in response to user entry of the user-preference data at the first computer arrangement (see column 8, line 66 through column 9, line 2); storing the user-preference data in a database hosted by the second computing arrangement in association with an identifier of the electronic system (see



column 10, lines 60-65); retrieving from the database user reference data associated with the identifier of electronic system in response to a request from the user-preference data by the electronic system (see column 10, line 60 through column 11, line 8); transmitting the user-preference data retrieved from the database to the electronic system (see column 10, line 60 through column 11, line 8); and configuring the electronic system with the user-preference data to modify operation of the electronic system (see column 10, line 60 through column 11, line 8).

28. Regarding claims 11 and 17, Hirata disclosed wherein the user-preference data is transmitted from the first computing arrangement to the second computing arrangement in an electronic mail message (see column 7, lines 61-65).

29. Regarding claim 12, Hirata disclosed wherein the user-preference data is transmitted from the first computing arrangement to the second computing arrangement via a hyper-text transport protocol (see column 6, lines 50-67).

30. Regarding claim 13, Hirata disclosed further comprising transmitting the user-preference data to the electronic system via a wireless interface (see column 6, line 48 through column 7, line 43).

31. Regarding claim 15, Hirata disclosed wherein the electronic system includes a television signal receiver (see column 7, lines 15-23).

32. Regarding claim 18, Hirata disclosed comprising an electronic device configurable with user-preference data and coupled to a non-QWERTY user-input device for input of user-preference data (see column 7, lines 15-23); a first computing arrangement adapted to assemble and transmit user-preference data (see column 7,

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line 66 through column 8, line 14); a second computing arrangement coupled to the first computing arrangement and to the electronic device, the second computing arrangement adapted to receive and store user-preference data transmitted from the first computing device and transmit the user-preference data to the electronic device to modify operation of the electronic system (see column 10, line 15 through column 11, line 8).

33. Regarding claim 19, Hirata disclosed wherein the electronic device is a wireless communication device, and the first computing arrangement is further adapted to communicate the selected user-preference data to the second computing arrangement in an electronic mail message (see column 6, line 48 through column 7, line 43; column 7, lines 61-65).

34. Regarding claim 21, Hirata disclosed wherein the electronic device is a programmable television signal recorder, and the first computing arrangement is further adapted to communicate the selected user-preference data to the second computing arrangement in an electronic mail message (column 7, lines 15-23, 61-65).

35. Regarding claim 23, Hirata disclosed wherein the electronic device is a programmable television signal recorder, and the user-preference data is transmitted from the first computing arrangement to the second computing arrangement by hyper-text transport protocol (see column 6, lines 50-67; column 7, lines 15-23).

***Response to Arguments***

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36. Applicant's arguments with respect to claims 1-26 have been considered but are moot in view of the new ground(s) of rejection. Examiner submits that the claims are taught by the prior art of record as detailed in the above rejections under 35 U.S.C. 102(e).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Tripathi (U.S. Pat. App. Pub. 2002/0087619)

Szurkowski (U.S. Pat. No. 6,417,933)

Pollack (U.S. Pat. App. Pub. 2002/0019851)

Pisupati et al. (U.S. Pat. App. Pub. 2002/0099808)

Arao (U.S. Pat. App. Pub. 2002/0007423)

Wright (U.S. Pat. App. Pub. 2002/0046246)

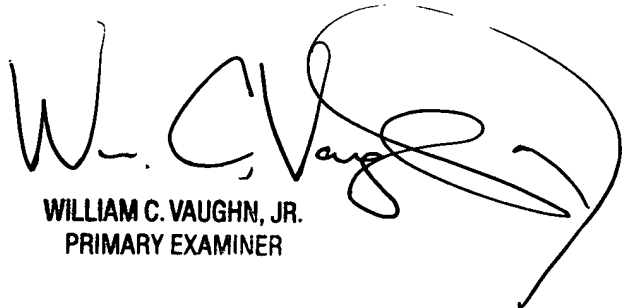
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph R. Maniwang whose telephone number is (571) 272-3928. The examiner can normally be reached on Mon-Fri 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William C. Vaughn can be reached on (571) 272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JM



WILLIAM C. VAUGHN, JR.  
PRIMARY EXAMINER